

DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

FILE: B-218658 DATE: May 10, 1985
MATTER OF: ZB Precision Products, Inc.

DIGEST:

Protest that does not include a statement of the factual and legal grounds for protest is dismissed. Moreover, a statement filed after the 10-day period for protesting expired does not cure the matter.

ZB Precision Products, Inc. (ZB), protests the award of a contract to Gould, Inc., Ocean Systems Division (Gould), under Department of the Navy solicitation No. N00104-84-G-0229. We dismiss the protest.

The Navy informs us that ZB learned of the contract award to Gould on April 2, 1985. We received a telegram from ZB on April 16, which did no more than state that ZB protested the award to Gould and would submit details later. Subsequently, we received a letter containing the factual and legal basis for ZB's protest.

Our Bid Protest Regulations require that a protest set forth a detailed statement of the legal and factual protest grounds, include copies of relevant documents, and state the relief requested, 4 C.F.R. § 21.1(c)(4),(6) (1985), and caution that we will dismiss a protest that does not comply with these requirements. 4 C.F.R. § 21.1(f). Consequently, ZB's April 16 telegram, filed as required within the 10-day-working period after ZB knew the basis for protest, see 4 C.F.R. § 21.2(a)(2), but stating only that ZB protests the contract award to Gould, was insufficient to constitute a protest. Further, ZB's subsequent submission of the protest details, after the 10-day period for protesting expired, cannot cure the matter.

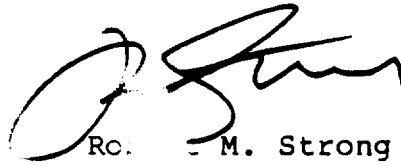
We note, however, that the Navy also informs us that ZB protested to the Navy on April 4, and that this protest has not been decided yet. Under our Bid Protest Regulations, we will consider a protest filed with this Office if

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it is submitted within 10 working days after an agency takes adverse action on a timely protest filed at that level. 4 C.F.R. § 21.2(a)(3). Thus, if the Navy decides ZB's protest has no merit, we will consider a subsequent protest if it is received here within 10 working days after ZB has actual or constructive notice of the Navy's decision.

The protest is dismissed.



Ro. M. Strong
Deputy Associate General Counsel